

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DONNA ANN GABRIELE CHECHELE, et al.,

Plaintiffs,

-v-

PIERRE LAUBIES and COTY INC.,

Defendants.

20 Civ. 3438 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On July 17, 2020, defendant Coty Inc. filed a motion to dismiss the complaint under Rule 12 of the Federal Rules of Civil Procedure. Dkt. 15. The same day, defendant Pierre Laubies joined Coty's motion in full. Dkt. 19. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiffs shall file any amended complaint by August 13, 2020. No further opportunities to amend will ordinarily be granted. Pursuant to the parties' previously entered stipulation regarding service of the summons, deadlines to respond, and briefing schedule, *see* Dkt. 9, if plaintiffs do amend, defendants shall have 45 days from the date the amended complaint is filed to: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.<sup>1</sup>

It is further ORDERED that if no amended complaint is filed, plaintiffs shall serve any opposition to the motion to dismiss by August 31, 2020. *See* Dkt. 9. Defendants' reply, if any,

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<sup>1</sup> If defendants file a new motion to dismiss or rely on their previous motion, plaintiff's opposition will be due 45 days thereafter, and defendants' reply, if any, will be due 20 days after that. *See* Dkt. 9.

shall be served 20 days thereafter. *See id.* At the time the reply is served, the moving party shall supply the Court with a courtesy copy of all motion papers by attaching them as PDF files to a single email addressed to: [EngelmayerNYSDChambers@nysd.uscourts.gov](mailto:EngelmayerNYSDChambers@nysd.uscourts.gov).

SO ORDERED.

  
PAUL A. ENGELMAYER  
United States District Judge

Dated: July 23, 2020  
New York, New York